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Governor

MAR 13 2006

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Veterinary Medical Examiners
124 Halsey Street, 6th Floor, Newark, NJ 07102



ZULIMA V. FARBER
Attorney General

March 2, 2006

RECEIVED and FILED by the
NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
on this date of: 3/21/2006
KIMBERLY S. RICKETTS
Director

Mailing Address:
P.O. Box 45020
Newark, NJ 07101
(973) 504-6500

By Certified and Regular Mail

Karen M. Froberg-Fejko, V.M.D.
Cherry Hill Animal Hospital
1425 East Marlton Pike
Cherry Hill, New Jersey 08034

Re: **I/M/O KAREN M. FROBERG-FEJKO, V.M.D.**
Complaint Number: 04-008

Letter of Reprimand In Lieu of Disciplinary Proceeding

Dear Dr. Froberg-Fejko:

This letter is to advise you that the New Jersey State Board of Veterinary Medical Examiners (hereinafter referred to as the "Board") has had an opportunity to review a consumer complaint it received, filed by Louis A. Cavaliere, III, concerning the services which you rendered to his seven (7) month old male Labrador Retriever, "Jake," in or about November 2000.

Specifically, the information reviewed by the Board included, but is not limited to, the following documents:

1. A complaint filed, on or about January 28, 2004, by Louis A. Cavaliere, III,, as well as any and all attachments and exhibits; and
2. A correspondence, dated March 1, 2004, from Karen M. Froberg-Fejko, V.M.D., to the Board, as well as any and all attachments and exhibits.

Upon review of all available information, the Board has determined that probable cause exists to warrant the filing of formal disciplinary charges. However, the Board has concluded to refrain from taking formal disciplinary action against you since it finds mitigating factors in your favor. Notwithstanding this decision, the Board has asked me to convey to you its concerns with regard to this matter.

In reviewing this matter, the Board found that Mr. Cavaliere initially presented Jake to you at the Cherry Hill Animal Hospital (hereinafter the "Hospital") in July 2000. You examined the dog and concluded that he was a healthy puppy with the exception of a retained left testicle. In November 2000, Jake was again presented to you by the owner at the Hospital, this time for the purpose of neutering.

You performed the surgery and advised, in your March 1, 2004 correspondence to the Board, that after extensive palpation and exploring, you determined that the retained testicle was not in Jake's abdomen, but rather deep inside the left inguinal ring, thereby complicating the surgery. You therefore decided, in the best interest of Jake's health, to perform a surgical ablation of the retained testicle by ligating the vessels to the organ and cutting off the organ's blood supply. You then completed the surgery by removing the descended right testicle in a routine matter. At the time of discharge from the Hospital, you explained to the owner the surgical technique you used, namely how you had ligated the vessels to the left testicle because of the difficult location of the organ discovered during surgery. Jake recovered from the surgery and the owner was provided a certificate of sterilization for Jake.

On or about November 21, 2003, the owner moved and Jake was introduced to a new treating veterinarian, Mary Schubert Gang, V.M.D., at the Hartford Animal Hospital ("Hartford"). Upon examination, Dr. Gang questioned whether Jake had been neutered given the male characteristics she observed. Following her review of the respondent's surgical records and the owner's account of the dog's surgery, Dr. Gang concluded that Jake may have had a "non-viable, necrotic, possibly abscessed testicle retained in the left inguinal region," and referred the dog to a surgical specialist for completion of the castration.

Jake was referred by Dr. Gang to Mark A. Cofone, V.M.D., DACVS, at the Veterinary Specialty Center of Delaware who following an examination which included an ultrasound, performed surgery to remove the retained left testicle on January 13, 2004. The dog was seen by Dr. Gang on January 24, 2004, for a follow-up visit. She reported that Jake recovered from the surgery uneventfully.

The Board has concluded that the foregoing facts clearly demonstrate that you engaged in a single act of negligence in utilizing a surgical method that resulted in the failure to completely remove Jake's retained testicle during surgery. Notwithstanding the Board's finding in this matter that probable cause exists for the initiation of disciplinary action, the Board has determined to refrain from taking formal disciplinary action against you since it finds mitigating factors in your favor. However, the Board strongly reprimands you for failing to completely neuter the dog and issuing a certificate of sterilization to the owner. The Board urges you to establish and implement thorough and complete surgical procedures and techniques in your office in order to avoid this occurrence in the future.

Within fifteen (15) days of receipt of this letter, please sign the acknowledgment at the bottom of this letter, and return it to the Board office. Upon receipt of the acknowledgment, this letter will be a matter of public record and the matter will be considered closed by the Board.

In the event that you fail to respond to this request within fifteen (15) days, the Board may continue its investigation and may require you to appear at an investigative inquiry. Thereafter, if the facts so warrant, the Board may refer the matter to the Office of the Attorney General for the initiation of a disciplinary proceeding. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General Olga E. Bradford, who may be reached at (973) 648-3696.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By: _____

Leslie G. Aronson

LESLIE G. ARONSON
Executive Director

ACKNOWLEDGMENT: I, KAREN M. FROBERG-FEJKO, V.M.D., hereby
acknowledge receipt of this letter and assure that I will comply
with the directives contained herein.

Karen M. Froberg-Fejko VMD

KAREN M. FROBERG-FEJKO, V.M.D.

DATED:

cc: Deputy Attorney General Olga E. Bradford